

FILED

May 23, 2005

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**STATE OF NEW JERSEY
DEPARTMENT OF LAW &
PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE LICENSE OF

RAUL JIMENEZ, M.D.
License No. MA41224TO PRACTICE MEDICINE AND SURGERY
IN THE STATE OF NEW JERSEY:
:
:
: Administrative Action
:
: FINAL ORDER
: OF DISCIPLINE
:
:

This matter was opened to the New Jersey State Board of Medical Examiners upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made;

FINDINGS OF FACT

1. Respondent, Raul Jimenez, M.D., is the holder of License No. MA41224 and was licensed to practice medicine and surgery in the State of New Jersey from 1982 until 1983 after which time Respondent permitted that license to lapse.

2. On or about October 17, 2003, the State of Florida Department of Health ("Florida Board") issued an Order of Emergency Suspension of License ("Order") against Respondent's license to practice medicine in Florida. Pursuant to the Order, the Florida Board found that Respondent violated Sections 458.331(1)(t) and 458.331(1)(q), Florida Statutes (2002), "by failing to practice medicine with the level of care, skill and treatment which is

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recognized by a reasonably prudent similar physician as being acceptable under similar conditions and circumstances" and "by prescribing, dispensing, administering, mixing, or otherwise preparing a legend drug, including any controlled substance, other than in the course of the physician's professional practice." In addition, the Florida Board found that Respondent violated Sections 458.331(1)(m) and 458.331(1)(ee), Florida Statutes (2002), "by failing to keep legible medical records that justify the course of treatment of patients, including, but not limited to, patient histories, examination results, or treatment plans" and "by prescribing, ordering, dispensing, administering, supplying, selling, or giving growth hormones, testosterone or its analogs, human chorionic gonadotropin (HCG), or other hormones for the purpose of muscle building or to enhance athletic performance." Lastly, the Florida Board found that Respondent violated Section 458.331(1)(k), Florida Statutes (2002), "by making deceptive, untrue, or fraudulent representations in or related to the practice of medicine or employing a trick or scheme in the practice of medicine." Based on the foregoing findings the Florida Board concluded that Respondent's continued practice as a physician constituted an immediate and serious danger to the health, safety, and welfare of the public and summarily suspended Respondent's license. (Copy of the Order and available supporting materials are annexed hereto and made a part hereof).

CONCLUSION OF LAW

1. The above disciplinary action taken by the sister state of Florida provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(b), in that, Respondent has engaged in the use or employment of dishonesty, fraud, deception, misrepresentation, false promise or false pretense.

2. The above disciplinary action taken by the sister state of Florida provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(e), in that, Respondent has engaged in professional or occupational misconduct.

3. The above disciplinary action taken by the sister state of Florida provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(g), in that, Respondent's license to practice medicine has been suspended by another State.

4. The above disciplinary action taken by the sister state of Florida provides grounds to take disciplinary action against Respondent's license to practice medicine and surgery in New Jersey pursuant to N.J.S.A. 45:1-21(m), in that, Respondent has prescribed or dispensed controlled dangerous substances indiscriminately or without good cause, or where the Respondent knew or should have

known that the substances were to be used for unauthorized consumption or distribution.

5. Respondent's failure to submit his biennial renewal in 1983 resulting in a lapsed license status provides grounds to automatically suspend Respondent's license to practice medicine and surgery in the State of New Jersey pursuant to N.J.S.A. 45:1-7.1(b).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline suspending Respondent's license to practice medicine and surgery in the State of New Jersey was entered on December 27, 2004 and a copy was forwarded to Respondent at the last known address on file with the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Although the Provisional Order sent by means of certified mail was returned as "unclaimed", the regular mail was not returned. Because the Order was forwarded to Respondent's address of record,

the Board deems service to have been effected. Accordingly, it determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 23rd day of May, 2005,

ORDERED AND AGREED THAT:

1. Respondent's license to practice medicine and surgery in the State of New Jersey shall be and is hereby suspended until such time as Respondent's license to practice medicine in the State of Florida is fully reinstated.

2. Prior to resuming active practice in New Jersey, Respondent shall be required to appear before the Board or a committee thereof, to demonstrate fitness to resume practice, to show that Respondent has satisfied all requirements of any Florida disposition and is reinstated to the practice of medicine in that State. Any practice in this State prior to reinstatement shall constitute grounds for the charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on Respondent's practice should Respondent's license be reinstated.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: 

Bernard Robins, M.D., F.A.C.P.
Board President